

Re-establishing Council Advisory Bodies for 2022-2026 City Council Term

Date: January 17, 2023
To: Executive Committee
From: City Manager
Wards: All

SUMMARY

Under Municipal Code Chapter 27, Council Procedures, City Council may establish Council Advisory Bodies (CABs) that are made up of public and Council members, at any time during the Council term to provide advice to Council on issues within each advisory body's mandate. City Council must approve the terms of reference for CABs. In the previous Council term, seven CABs were established to provide Council advice.

The Toronto Accessibility Advisory Committee (TAAC) is automatically continued for each term of City Council to meet the City's obligations under the *Accessibility for Ontarians with Disabilities Act, 2005*. This report recommends Council adopt the Terms of Reference for the TAAC in Attachment 1.

This report recommends Council also re-establish the following five CABs that operated last Council term, and adopt the Terms of Reference for each, provided as Attachments 2, 3, 4, 5 and 6:

- Confronting Anti-Black Racism Advisory Committee;
- Film, Television and Digital Media Advisory Board ('Film Board');
- Toronto Music Advisory Committee;
- Two-Spirit, Lesbian, Gay, Bisexual, Transgender and Queer (2SLGBTQ+) Advisory Committee; and
- Toronto Francophone Affairs Advisory Committee.

Aboriginal Affairs Advisory Committee

During the previous Council term, the members of the Aboriginal Affairs Advisory Committee (AAAC) raised several questions and concerns about the committee's structure and meeting procedures. The City is supporting a review of AAAC governance in response to these concerns, in collaboration with the past AAAC co-chair and members. An Indigenous facilitator is engaging with past AAAC members on their experiences to identify potential changes to the terms of reference - which include its

mandate, membership and meeting procedures - that would better reflect Indigenous governance models and approaches.

The City Manager recommends that Council re-establish the AAAC and request the City Manager and City Clerk report back on findings from the governance review once additional feedback from past members is collected to inform the terms of reference for this body for this Council term. This governance review is an important first step in an ongoing process to ensure the City engages with Indigenous communities in a manner that reflects Indigenous governance approaches.

New Council Advisory Body on Housing

In July 2022, City Council directed the establishment of a new Council Advisory Body for the 2022-2026 Council term to help advance the progressive realization of the right to housing as enshrined in the Toronto Housing Charter. The City's Housing Secretariat will make recommendations to Council on the mandate and membership for this new CAB as part of its report on the 2023 Housing Action Plan.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council adopt the Terms of Reference for the Toronto Accessibility Advisory Committee in Attachment 1 of this report.
2. City Council re-establish the following Council Advisory Bodies for the 2022 to 2026 Council term and adopt the associated Terms of Reference in Attachments 2 to 6:
 - a. Confronting Anti-Black Racism Advisory Committee;
 - b. Film, Television and Digital Media Advisory Board ('Film Board');
 - c. Toronto Music Advisory Committee;
 - d. Two-Spirit, Lesbian, Gay, Bisexual, Transgender and Queer (2SLGBTQ+) Advisory Committee; and
 - e. Toronto Francophone Affairs Advisory Committee.
3. City Council re-establish an Aboriginal Affairs Advisory Committee (AAAC) for the 2022 to 2026 Council term and request the City Manager and City Clerk report back on the findings from the AAAC governance review including proposed Terms of Reference for this body.
4. City Council adopt the amended Simplified Rules of Procedure for Advisory Bodies in Attachment 7 and direct that all meetings of Council Advisory Bodies listed in Recommendations 1 and 2 be held in accordance with these rules.

FINANCIAL IMPACT

In 2021, City Council directed staff to implement a program to offer honoraria to public members of Council Advisory Bodies (CABs) for their participation in meetings. The program was piloted with seven CABs. Costs to provide public members with honoraria for their participation in the seven recommended advisory bodies for the 2022-2026 term of Council are estimated to be \$63,500 per year, which is an upper-limit estimate based on the anticipated meeting frequency and all public members who request compensation. These costs are included as non-program spending in the City's annual operating budget.

CABs are provided meeting management support through existing resources in the City Clerk's Office. Meeting management support for the number of CABs recommended in this report is included in the City Clerk's Office 2023 budget.

The Chief Financial Officer and Treasurer has been advised of the financial impacts associated with this program to be considered along with other priorities in the 2023 and future year budget processes.

DECISION HISTORY

At its July 19, 2022 meeting, City Council directed staff to report back in Q1 2023 with a proposed term of reference for a new Council Advisory Committee to support the City's goals set out in the Toronto Housing Charter and HousingTO Plan for the progressive realization of the right to adequate housing, within its jurisdiction.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.EX34.7>

At its February 18, 2021 meeting, City Council adopted the 2021 Capital and Operating Budgets, which included honoraria for Council Advisory Board members of \$125.00 per public member per meeting attended, for the remainder of the Council term.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.EX21.2>

COMMENTS

Council Advisory Bodies (CABs) provide advice to Council and complement the many other ways the City engages residents, stakeholders and subject matter experts on City and Council priorities. Council may establish CABs at any point in the Council term and these bodies last until their mandates are complete or at the conclusion of the Council term, whichever is sooner. CABs may consist of Council Members or a combination of Council Members and the public.

City Divisions also convene short and longer-term program-related bodies, tables, circles and groups that differ from CABs as they advise staff as they develop policies and strategies, support monitoring and implementation, inform divisional reports to the public and Council and are a component of the City's approach to engagement and partnership.

The City Manager's Office and City Clerk's Office provide advice on the establishment of CABs, including their Terms of Reference, composition, mandate, and procedures to ensure compliance with relevant legislation, City by-laws and policies including the Toronto Municipal Code. The City Clerk's Office provides secretariat support for CAB meetings while relevant City Divisions provide program and policy support to the CABs. Public members of CABs are appointed through the City Clerk's Office's public appointments process.

Subsection 16.6(B) of Toronto Municipal Code Chapter 27, Council Procedures, requires Council to adopt Terms of Reference for any public advisory body it establishes. These Terms of Reference must include:

- The matters the committee or body deals with;
- The composition of the committee or body;
- The Council Committee to which the committee or body reports;
- The start and end date of the committee or body;
- The reason an existing committee or body cannot do the work; and
- An impact statement from the City Clerk identifying the staff and other resources the committee or public advisory body needs for support and a statement that such resources are available.

Chapter 27 of the Municipal Code also specifies that public advisory bodies, including CABs, follow Council's Simplified Rules of Procedures for Advisory Bodies. The City Clerk's Office has reviewed and updated the Rules of Procedure from the previous term to support the advisory role of these bodies.

The Simplified Rules of Procedure are consistent with the principles of members' rights, good governance, and transparency enshrined in Chapter 27, while providing some flexibility in recognition of the fact that CABs are composed predominantly of members of the public and do not have final decision-making authority.

The Simplified Rules of procedure contain temporary provisions to permit electronic participation in meetings. As these temporary provisions are due to expire, City Council will consider amendments to the rules of procedure in respect of electronic participation for itself, its committees and advisory bodies. A decision of Council in this matter is expected to amend the Simplified Rules.

This report recommends Council adopt the updated, amended rules in Attachment 7.

Council Advisory Bodies for 2022-2026

The Toronto Accessibility Advisory Committee (TAAC) is not dissolved at the end of each Council term and continues in the 2022-2026 term, meeting the legislative requirement to establish an advisory body under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

The TAAC provides advice to City Council on the elimination of barriers faced by people with disabilities and acts as a liaison with external bodies on barriers to participation in

public life and to the achievement of social, cultural and economic well-being of people with disabilities. The committee also provides advice to City Council about the requirements and implementation of accessibility standards and the preparation, implementation and effectiveness of accessibility reports as required by the AODA. The Terms of Reference for the TAAC have not changed from the 2018-2022 Council term and are provided in Attachment 1 to this report.

This report recommends Council re-establish the following CABs for the 2022-2026 term, and that Council adopt the related Terms of Reference in Attachments 2-6 to this report.

- **Confronting Anti-Black Racism Advisory Committee (CABRAC)** - the CABRAC was newly established during the 2018-2022 Council term to provide advice to Council on:
 - how to support the implementation of the principles of the International Decade for People of African Descent (Recognition, Development, and Justice) to address efforts to recognize and celebrate the contributions of Black Torontonians as part of the City's contributions to mark the decade; efforts for positive outcomes for Black Torontonians in areas of child welfare, housing, healthcare, employment and entrepreneurship, and education; and efforts to promote equitable outcomes for Black Torontonians on issues relating to policing and the criminal justice system;
 - the elimination of barriers faced by Black communities and recommending City engagement to help improve access to provincial, federal, and community agency services and programs;
 - how to ensure the interests and needs of Black communities are reflected in City programs and service delivery; and
 - emerging issues and trends of significance to Black communities as they relate to City services and programs.
- **Film, Television and Digital Media Advisory Board ('Film Board')** - the Film Board was re-established in 2018 from the previous Council term and provides recommendations and advice to:
 - promote the attractiveness and competitiveness of Toronto for the film, television and digital media industry;
 - identify the issues and opportunities of the film sector; and
 - establish Toronto as a respected global centre of excellence for screen industries.
- **Toronto Music Advisory Committee (TMAC)** - the TMAC was re-established in 2018 from the previous Council terms and provides recommendations and advice to:
 - enhance the health, competitiveness, and viability of Toronto's music sector;
 - achieve long-term sustainable economic growth and job creation in the music industry and related sectors;
 - develop, support and showcase music industry talent in Toronto;
 - facilitate signature music events; and
 - establish Toronto as a respected global centre of excellence for music.

- **Two-Spirit, Lesbian, Gay, Bisexual, Transgender and Queer (2SLGBTQ+) Advisory Committee** - The 2SLGBTQ+ committee was newly established during the 2018-2022 Council term to provide advice to City Council on:
 - how to ensure the interests and needs of the diverse Two-Spirit, Lesbian, Gay, Bisexual, Transgender, and Queer communities are reflected in City programs and service delivery;
 - strategies aimed at elimination of barriers faced by and Two-Spirit, Lesbian, Gay, Bisexual, Transgender, and Queer communities when accessing City programs and services; and
 - emerging issues and trends of significance to the Two-Spirit, Lesbian, Gay, Bisexual, Transgender, and Queer communities as they relate to City services and programs.
- **Toronto Francophone Affairs Advisory Committee** - this committee was re-established in 2018 from the previous Council terms and provides advice to City Council on:
 - trends, projects and initiatives within Toronto's Francophone communities that can contribute to the City's social, economic and cultural vitality;
 - supporting the economic competitiveness and business growth of Francophone businesses and businesses supporting Francophone communities; and
 - opportunities for the City of Toronto to work with Toronto's Francophone communities to promote increased engagement in City initiatives.

Governance Review of the Aboriginal Affairs Advisory Committee

The mandate of the Aboriginal Affairs Advisory Committee (AAAC) in the 2018-2022 Council term was to:

- provide advice to City Council on the elimination of barriers faced by Aboriginal peoples, including barriers related to City By-laws, policies, programs, and service delivery;
- act as a liaison with external bodies on barriers to the participation of Aboriginal peoples in public life; and
- advance the achievement of social, cultural, economic, and spiritual well-being of Aboriginal peoples.

Several issues and concerns were raised by AAAC members during the 2018-2022 Council term with respect to governance and meeting procedures of the committee. Members expressed a desire for a more Indigenous approach to the committee, such as consensus-based decision making and meeting agendas that allow for additional discussion and deliberation.

As part of a governance review to respond to these issues and concerns, the City Manager's Office and City Clerk's Office consulted the recent AAAC Co-Chair and gathered information from the Indigenous Affairs Office to retain an Indigenous facilitator to engage past members on concerns raised during the last term of Council and on potential recommendations on the governance structure and procedures of the AAAC going forward.

In keeping with the City's commitment to Indigenous reconciliation and decolonization set out in the Reconciliation Action Plan, the City Manager recommends Council re-establish an AAAC but wait to adopt terms of reference for this committee until after the findings of the governance review and input from the Indigenous community can be considered by Council. Staff anticipate this review will be completed in Q2 2023. This governance review is an important first step in an ongoing process to ensure the City engages with Indigenous communities in a manner that reflects Indigenous governance approaches. Longer term engagement with Indigenous governance experts, Treaty and Territorial partners, key sector leaders, traditional knowledge carriers and the broader public can support how the City evolves and reflects Indigenous governance approaches for the AAAC and other advisory bodies.

New Council Advisory Body on Housing

At its July 19, 2022 meeting, City Council adopted the Housing Commissioner report and made several decisions, including a role for the Ombudsman. At that time, Council directed staff to report back in Q1 2023 with a proposed Terms of Reference for a Housing Rights Advisory Committee to support the objectives of the Toronto Housing Charter and the HousingTO 2020-2030 Action Plan, including advancing the City's commitment to the progressive realization of the right to housing, as it relates to matters within its jurisdiction.

In December 2022, City Council directed staff to report back by March 2023 on a "2023 Housing Action Plan" that enables housing production and furthers the City's climate and planning objectives. The City's Housing Secretariat will make recommendations to City Council on the mandate and membership for this new advisory body with consideration to the priorities and details currently in development for the 2023 Housing Action Plan. The Terms of Reference for the new advisory body focused on housing rights will be included as part of that report.

Honoraria for Council Advisory Body members

The City's 2021 Operating Budget included a pilot project to support an honoraria program for CABs for the remainder of the term, to acknowledge and support the participation of public members on these bodies. The City offered \$125.00 per member per meeting for seven CABs.

The City Manager's Office evaluated this practice with input from CAB members at the end of the Council term, and found it aligned with the expectations of public members and the City's commitments to equity, reconciliation and public engagement.

This report recommends that Council continue providing honoraria to those public members of CABs for the 2022-2026 term who request it. Based on the frequency of meetings and the number of public CAB members from the previous term, the financial impact to the City is estimated to be \$63,500 per year and is included as non-program spending in the City's annual operating budget. The provision of honoraria is set out in the recommended terms of reference for all CABs.

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SIGNATURE

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ATTACHMENTS

Attachment 1 - Toronto Accessibility Advisory Committee Terms of Reference

Attachment 2 - Confronting Anti-Black Racism Advisory Committee Terms of Reference

Attachment 3 - Film, Television and Digital Media Advisory Board ('Film Board') Terms of Reference

Attachment 4 - Toronto Music Advisory Committee Terms of Reference

Attachment 5 - Two-Spirit, Lesbian, Gay, Bisexual, Transgender and Queer (2SLGBTQ+) Advisory Committee Terms of Reference

Attachment 6 - Toronto Francophone Affairs Advisory Committee Terms of Reference

Attachment 7 - Simplified Rules of Procedure for Advisory Bodies